



COUNCIL MINUTES

May 1, 2006

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on May 1, 2006 at 5:45 p.m.

COUNCIL PRESENT

Mayor Keno Hawker
Rex Griswold
Tom Rawles
Janie Thom
Claudia Walters
Mike Whalen

COUNCIL ABSENT

Kyle Jones

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Barbara Jones

Mayor Hawker excused Councilmember Jones from the meeting.

Invocation by Vice Mayor Walters.

Pledge of Allegiance was led by Ryan Spinelli, Troop No. 253.

Mayor's Welcome.

Mayor Hawker welcomed everyone to the meeting. A videotaped presentation was aired that outlined meeting procedures and provided attendees with instructions relative to addressing the Council.

Hear a presentation by Maricopa County Elections Director Karen Osborne regarding Proposition 200, which requires voter identification at the polls.

Ms. Osborne discussed the importance of Mesa voters bringing appropriate identification with them when they go to the polls on May 16th for the City's upcoming General Election.

1. Take action on all consent agenda items.

All items listed with an asterisk (*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember or citizen requests, in which event the item will be removed from the consent agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

Vice Mayor Walters stated that item 8c was read into the record, but noted that it was deleted from the consent agenda. She also questioned, with regard to item 7a, whether the P&Z recommendation for approval with a 3-2 vote is sufficient or if it would be necessary for the seven-member Board to require a 4-vote majority in order for the matter to be brought forward to the Council.

City Attorney Debbie Spinner clarified that 7a is the introduction of the ordinance and said that if the Council approves its introduction at this time, staff would research the case further prior to its adoption.

Mayor Hawker suggested that the Council approve the introduction of 7a, with the stipulation that staff be directed to address Vice Mayor Walters' inquiry prior to adoption of the ordinance. He also requested that item 8h be removed from the consent agenda.

It was moved by Vice Mayor Walters, seconded by Councilmember Thom, that the consent agenda be approved with Vice Mayor Walters' amendment and the stipulation outlined by Mayor Hawker.

Mayor Hawker declared the motion carried unanimously by those present.

*2. Approval of minutes of previous meetings as written.

Minutes from the March 6, 9, 23, 29 and April 13 and 17, 2006 Council meetings.

3. Take action on the following recommendations from the Judicial Advisory Board:

- *3a. Reappointment of Presiding Magistrate Matias Tafoya for a two-year term beginning July 1, 2006 and ending June 30, 2008.
- *3b. Reappointment of Magistrate Michelle Lue Sang for a four-year term beginning July 1, 2006 and ending June 30, 2010.

4. Conduct a public hearing prior to release of the petition for signatures for the following proposed annexations:

- 4a. A06-01 (District 5) Annexing land on Sossaman Road north of McKellips Road. (5.31 ± ac.) Initiated by Paul Kessler, representing the property owners.

Mayor Hawker announced that this is the time and place for a public hearing regarding annexing land on Sossaman Road north of McKellips Road. (5.31 ± ac.)

There being no citizens present wishing to speak on this issue, the Mayor declared the public hearing closed.

- 4b. A06-03 (District 5) Annexing land on Hawes Road north of McDowell Road. (19.47 ± ac.) Initiated by Jenny Nedergaard, one of the property owners.

Mayor Hawker announced that this is the time and place for a public hearing regarding annexing land on Hawes Road north of McDowell Road. (19.47 ± ac.)

Eric Nedergaard, 3331 North Hawes Road, stated that he is requesting annexation because his property is virtually surrounded by City of Mesa property as a result of recent annexations. He commented that a majority of his neighbors currently utilize septic systems and private wells, but said that annexation into the City would provide them with the opportunity to connect to Mesa's water system in the future if they chose to do so.

Mia Thomas, 3530 North Hawes Road, #8, voiced concerns regarding whether she would lose access to an easement road leading from her property to the County property if the annexation request were approved.

Planning Director John Wesley indicated that Ms. Thomas might be speaking with regard to item 4d as opposed to 4b.

Mayor Hawker requested that staff meet with Ms. Thomas to address her questions and concerns.

There being no further citizens present wishing to speak on this issue, the Mayor declared the public hearing closed.

4c. A06-06 (District 6) Annexing land on Broadway Road east of Hawes Road. (3.98 ± ac.)
Initiated by Roy McGuire, one of the property owners.

Mayor Hawker announced that this is the time and place for a public hearing regarding annexing land on Broadway Road east of Hawes Road. (3.98 ± ac.)

Paul Michael Powas, 8702 East Hazel Street, urged the Council not to develop the proposed annexation area as commercial or retail projects.

There being no further citizens present wishing to speak on this issue, the Mayor declared the public hearing closed.

4d. A06-08 (District 5) Annexing land on Thomas Road west of Hawes Road. (44.34 ± ac.)
Initiated by Nathan Palmer, one of the property owners.

Mayor Hawker announced that this is the time and place for a public hearing regarding annexing land on Thomas Road west of Hawes Road. (44.34 ± ac.)

Ron Trout, 7045 E. Monte Circle, addressed the Council and explained that his property is located in the center of the proposed annexation area. He noted that he has recently spoken with the property owners initiating the annexation request and has expressed concerns relative to the fact that if the annexation was approved, his property would become landlocked.

Jeannette Zerilt, 3439 North 80th Place, expressed opposition to the annexation request. She commented that the area is currently zoned as one-acre parcels and stated the opinion that if the annexation were approved, not only would the lot lines and property boundaries change, but the zoning may be modified to allow for smaller parcels.

Nathan and Rick Palmer, 8802 E. Palm Lane, provided the Council with an extensive overview of the case. Nathan Palmer's comments included, but were not limited to, the following: that a group of property owners wish to be annexed into the City of Mesa in order to improve the area; that the County has recently changed its requirements regarding septic systems and that a majority of the property owners would be required to install costly engineered septic systems; that for the same cost to install such systems, if annexation were approved, the property owners could develop a residential subdivision, which would include access to City water, sewer and street improvements; that it is not the intent of the property owners to create higher densities, but rather to conform to City of Mesa subdivision regulations; and that because the area in question is surrounded on three sides by Las Sendas, annexation would bring the area into conformity with those subdivisions.

In response to a question from Mayor Hawker, Mr. Wesley provided a short synopsis of the annexation process subsequent to the applicant receiving the petition for signatures. He assured the Council that staff is available to work with the applicant and attend neighborhood meetings to address any questions or concerns the residents may have.

In response to a question from Councilmember Griswold, Mr. Wesley stated that one of the goals of the property owners is to connect into the City's sewer system and noted that staff would continue to evaluate that process.

There being no further citizens present wishing to speak on this issue, the Mayor declared the public hearing closed.

5. Take action on the following liquor license application:

*5a. PAUL ALLEN COLLINSWORTH, AGENT

Person-to-Person Transfer Club License for Sunland Village Golf Club, 725A South Rochester. The Club License previously held at this location by Dennis Patrick Cavanaugh, Agent, Fozzles at Sunland Village, LLC, was issued 01/21/04. This license will transfer to the applicant.

6. Take action on the following contracts:

*6a. Additional Purchase of 208 Steel Refuse Containers to replenish inventory used to meet new contractual obligations as requested by the Development Services Department, Environmental Management Division.

The Purchasing Division recommends increasing the contract with Auerbach Products by \$157,894.78, including applicable taxes.

*6b. Two-year renewal of Supply Contract for Optically Controlled Traffic Control Equipment as requested by the Development Services Department, Transportation Division.

The Purchasing Division recommends exercising a two-year renewal option with 3M Company for \$178,491.30 annually based on estimated requirements.

- *6c. Dollar Limit Increase for Asphalt as requested by the Development Services Department, Transportation Division.

The Purchasing Division recommends increasing the contract dollar limit to Mesa Materials, Inc. by \$212,425.97 to \$300,000.00 annually for 2005/06 and 2006/07.

- *6d. Two Crew Trucks as requested by the Utilities Department, Water Utility Division.

The Purchasing Division recommends award to I-10 International Trucks for \$148,296.44, including options, warranties and applicable sales tax.

- *6e. Eight Month Supply Contract for Water Treatment Chemicals for Warehouse Inventory as requested by the Community Services Department, Parks and Recreation Division, and the Utilities Department, Water Division.

The Purchasing Division recommends authorizing purchase from a cooperative bid with the City of Chandler, as follows:

Los Angeles Chemical Company at \$29,882.16 and DPC Enterprises at \$60,961.91, both including applicable sales tax.

The combined award is \$90,844.07 based on estimated purchases during the remaining eight months of the contract.

- *6f. Four Self-Check Machines as requested by the Community Services Department, Library Services Division. (Sole Source) (2 Machines Grant-funded)

The Purchasing Division recommends ratifying the purchase from Dynix at \$41,543.04, including applicable sales tax.

- *6g. Computer Infrastructure Hardware and Software Requested by the Information Services Division. (Partially funded by Tax-Exempt Lease)

The Purchasing Division recommends authorizing the purchase from the State of Arizona contracts as follows:

Hewlett Packard, Inc. at \$815,035.57, including applicable sales tax and contingencies, and ASAP Software at \$51,591.41, including applicable sales tax and contingencies.

The combined recommended purchase is \$866,626.98, to be financed through a tax-exempt lease and budgeted funds.

- 6h. Apache Wells Water & Gas Replacement Project – Phase II, City of Mesa Project No. 01-607-001.

This project will replace the water and gas systems in the Apache Wells development. Phase I was completed and included the area of the development south of Hermosa Vista Drive. Phase II includes the area north of Hermosa Vista Drive. This project is being completed using the Construction Manager at Risk delivery method.

Recommend approval of guaranteed maximum price for Phase II with Achen-Gardner Engineering, LLC, in the amount of \$4,980,585.56 plus an additional \$498,058.56 (10% allowance for change orders) for a total amount of \$5,478,644.12. The total contract amount for Phase I and Phase II would be \$10,708,445.56. Funding is available from existing bond authorization in the water and gas bond programs.

Mayor Hawker declared potential conflicts of interest on items 6h and 6i and said he would refrain from discussion/participation in these agenda items. He yielded the gavel to Vice Mayor Walters for action on this item.

It was moved by Councilmember Thom, seconded by Councilmember Whalen, that the recommendation of staff be approved.

Upon tabulation of votes, it showed:

AYES - Griswold-Rawles-Thom-Walters-Whalen
ABSTAIN - Hawker
ABSENT - Jones

Vice Mayor Walters declared the motion carried unanimously by those present and voting.

6i. 2005/2006 Street Improvements – Center Street, Higley Road, 40th Street, City of Mesa Project No. 05-907-001.

Each year, the Transportation Division identifies street segments that require some measure of pavement maintenance. This project will rehabilitate over 215,000 square yards of asphalt pavement. Street segments included in this project are Center Street from University Drive to McKellips Road, Higley Road from McLellan Road to McDowell Road, and 40th Street from Broadway Road to Main Street. The work will also include the construction of sidewalk ramps along the improved streets and other minor street improvements.

Recommend award to the low bidder, Nesbitt Contracting, in the amount of \$2,296,620.00 plus an additional \$229,662.00 (10% allowance for change orders) for a total award of \$2,526,282.00. Funding is available from the Highway User Revenue Fund (HURF) funds budgeted in the Transportation Division.

Councilmember Whalen declared a potential conflict of interest and said he would refrain from discussion/participation in this agenda item.

It was moved by Councilmember Griswold, seconded by Councilmember Thom, that the recommendation of staff be approved.

Upon tabulation of votes, it showed:

AYES - Griswold-Rawles-Thom-Walters
ABSTAIN - Hawker-Whalen
ABSENT - Jones

Vice Mayor Walters declared the motion carried unanimously by those present and voting.

With action on this item being completed, Vice Mayor Walters yielded the gavel back to Mayor Hawker.

7. Introduction of the following ordinances and setting May 22, 2006 as the date of the public hearing on these ordinances:

- *7a. **Z06-25 (District 6)** The 9600 block of East Southern Avenue (south side). Located south of east Southern Avenue and west of South Crismon Road (15.5± ac). Rezone from AG and R1-43 to R-3-PAD and Site Plan Review. This request will allow for the development of residential condominiums. M.R. Parasher, Yale Casitas, Inc., owner; Martin Hazine, HGN, applicant. ***(Held two neighborhood meetings, notified property owners, neighbors, registered neighborhoods and homeowners associations and schools in the vicinity.)***

P&Z Recommendation: Approval. (Vote: 3-2 with Boardmembers Langkilde, Mizner nay, Saemisch, and Salas absent)

- *7b. **Z06-28 (District 6)** 6859 East Rembrandt Avenue (south side). Located east of Power Road and north of Warner Road (3.66± ac.). Site Plan and PAD Modifications. This request will allow for the development of a commercial, office and light industrial business complex. Frank Richards, San Tan Commerce Park LLC, owner; Steven Nevala, Cawley Architects, applicant. ***(Notified property owners and homeowners associations.)***

P&Z Recommendation: Approval. (Vote: 5-0 with Boardmembers Saemisch and Salas absent)

- *7c. **Z06-29 (District 2)** The 4300-4330 block of East University Drive (north side). Located west of North Greenfield Road and north of East University Drive (4± ac.). Site Plan Modification. This request will allow for the development of a self-storage facility and a retail shell building. Barry Baker, owner; Jared McQuarrie, New Sun Property Investments, LLC, applicant. ***(Held a neighborhood meeting, notified property owners, registered neighborhoods and homeowners associations.)***

P&Z Recommendation: Approval. (Vote: 4-1 with Boardmembers Langkilde nay, Saemisch and Salas absent)

- *7d. **Z06-30 (District 6)** 4207 South Power Road (east side). Located at the northeast corner of Power Road and Warner Road, "Parcel A" within the Gateway Norte Master Plan Subdivision (1.09± ac.). Site Plan Modification.

This request will allow for the development of a retail pad with multiple tenants. Richard Garcia, owner; David Ross, Ross Design Group, LLC, applicant. ***(Notified property owners and homeowners associations.)***

P&Z Recommendation: Approval. (Vote: 5-0 with Boardmembers Saemisch and Salas absent)

- *7e. **Z06-31 (District 3)** The 500 block of West Baseline Road (south side). Located west of the southwest corner of South Country Club Drive and West Baseline Road (6.82± ac.). Rezone from M-1 to M-1 PAD and Site Plan Modification. This request will allow for the development of medical/office condominiums. Sydney OBP Mesa, LLC – Bob Hunt, owner; William J. Patterson, Odyssey Commercial, applicant. ***(Held a neighborhood meeting, notified property owners, neighbors, registered neighborhoods and schools in the vicinity.)***

P&Z Recommendation: Approval. (Vote: 5-0 with Boardmembers Saemisch and Salas absent)

- *7f. **Z06-32 (District 5) Deleted.**

- *7g. **Z06-33 (District 6)** The 1100-1200 block of North Meridian Drive (west side). Located at the southwest corner of Brown Road and Meridian Drive (3.61± ac.). Rezone from Maricopa County Rural 43 to City of Mesa R1-43. This case involves the establishment of City of Mesa zoning on recently annexed property. Portigal Travel, LLC – Lewis Rosenberg, General Manager, owner; Wilfred Klingsat, applicant.

P&Z Recommendation: Approval. (Vote: 5-0 with Boardmembers Saemisch and Salas absent)

- *7h. **Z06-34 (District 6)** The 6800 block of East Ray Road (south side). Located at the southeast corner of Power Road and Ray Road (3.95± ac.). Site Plan Review. This request will allow for the development of a retail center. Marc Maken Baken, owner; Kurt Frimodig, Robert Kubicek Architects & Associates, Inc., applicant. ***(Notified property owners, registered neighborhoods, homeowners associations and Williams Gateway Area of Regional Economic Activity.)***

P&Z Recommendation: Approval. (Vote: 5-0 with Boardmembers Saemisch and Salas absent)

8. Take action on the following resolutions:

- *8a. Approving and authorizing the City Manager to execute a City Share Reimbursement Agreement for the reimbursement of regional offsite street lighting improvements that are being required by Mesa in conjunction with the proposed development of Hermosa Estates II, located at 9819 East McKellips Road. Mesa's estimated City Share on this development is \$20,210.00 – Resolution No. 8702.
- 8b. Authorizing the conveyance of City-owned property through a Quit-Claim Deed to DeRito/Kimco Mesa, LLC, for the purpose of building and maintaining a public access road from Dobson Road to Riverview Park and the proposed Auto Loop Road – Resolution No. 8707.

Mayor Hawker and Councilmember Rawles declared potential conflicts of interest on agenda items 8b, 8d and 8g and said they would refrain from discussion/participation in these agenda items. Mayor Hawker yielded the gavel to Vice Mayor Walters for action on this item.

It was moved by Councilmember Whalen, seconded by Councilmember Griswold, that Resolution No. 8707 be adopted.

Upon tabulation of votes, it showed:

AYES - Griswold-Thom-Walters-Whalen
ABSTAIN - Hawker-Rawles
ABSENT - Jones

Vice Mayor Walters declared the motion carried unanimously by those present and voting and Resolution No. 8707 adopted.

*8c. **Deleted.**

8d. Extinguishing an Easement for Outfall Sewer Line at Dobson Road and the Loop 202 Freeway – Resolution No. 8708.

This easement is no longer necessary as the sewer line has been realigned along the south side of the freeway.

It was moved by Councilmember Griswold, seconded by Councilmember Thom, that Resolution No. 8708 be adopted.

Upon tabulation of votes, it showed:

AYES - Griswold-Thom-Walters-Whalen
ABSTAIN - Hawker-Rawles
ABSENT - Jones

Vice Mayor Walters declared the motion carried unanimously by those present and voting and Resolution No. 8708 adopted.

*8e. Extinguishing a Public Utility Easement at 709 North Williams Street – Resolution No. 8703.

This easement needs to be extinguished to allow for construction of a swimming pool.

*8f. Extinguishing a portion of an Easement for Water Line at 1766 South Signal Butte Road – Resolution No. 8704.

A portion of this easement needs to be extinguished to allow the construction of a new building.

8g. Vacating right-of-way in the 1200 block of North Dobson Road and the 1200 block of West Brown Road – Resolution No. 8709.

These rights-of-way have never been used or maintained as a public street and need to be vacated.

It was moved by Councilmember Griswold, seconded by Councilmember Thom, that Resolution No. 8709 be adopted.

Upon tabulation of votes, it showed:

AYES - Griswold-Thom-Walters-Whalen
ABSTAIN - Hawker-Rawles
ABSENT - Jones

Vice Mayor Walters declared the motion carried unanimously by those present and voting and Resolution No. 8709 adopted.

With action on this agenda item being completed, Vice Mayor Walters yielded the gavel back to Mayor Hawker.

- 8h. Approving and authorizing the Mayor to execute the Amended and Restated Joint Powers Airport Authority Agreement and the Amended and Restated Intergovernmental Agreement for Williams Gateway Airport supporting the request for Phoenix to join the Williams Gateway Airport Authority – Resolution No. 8710.

Mack Lake, 514 East Glencove Street, expressed support for Williams Gateway Airport becoming a successful reliever airport for Phoenix Sky Harbor. He stated the opinion, however, that including Phoenix as a member of the Williams Gateway Airport Authority may impact certain decisions that could negatively affect Mesa residents. He cited, as an example, the potential expansion of a fourth runway at Sky Harbor which would generate additional flights and noise and significantly impact north Mesa residents who are located underneath the airport's flight path.

Mayor Hawker provided an extensive overview of the Williams Gateway Airport Authority's vision for Williams Gateway Airport; the potential expansion of Sky Harbor; and Phoenix's commitment to work with the other members of the Airport Authority to encourage commercial passenger service and cargo airlines at Williams Gateway. He also commented that the above-referenced Agreement calls for Phoenix to commit, among other things, \$5 million in capital funds to the Airport Authority in FY 2007 and provide a \$1.3 million annual operating investment.

Mayor Hawker indicated that the Agreement contains a voting provision reflecting that a two-thirds majority is required for a motion to carry if there is a weighted vote. He explained that he would prefer not to give any entity a "blocking ability" that would prevent the remaining members from obtaining a two-thirds majority. Mayor Hawker advised that would mean that no entity outside of Mesa (the primary contributor to the airport) could have more than a 33% ownership interest in any one year. He noted that Phoenix's original proposal came forward with a 37% ownership interest and suggested that the amount be modified to 33% or less each and every year so that the municipality would be unable to exercise such a blocking provision.

Mayor Hawker further commented that in the past 14 years, Mesa has invested over \$34 million in Williams Gateway Airport and stated that he looks forward to its development as a major employment center for the Southeast Valley. He acknowledged the other Airport Authority members, including Gilbert, Queen Creek and the Gila River Indian Reservation, and said he is

hopeful that other entities that may eventually join the Authority would continue to enhance that vision.

It was moved by Mayor Hawker, that Resolution No. 8710 be adopted.

Vice Mayor Walters thanked Mayor Hawker for his efforts and hard work during his tenure as a member of the Williams Gateway Airport Authority Board of Directors. She expressed support for the motion and added that it is neither the intent, nor would it be the action of the Council, to relinquish Mesa's control at Williams Gateway Airport to Phoenix.

Councilmember Thom concurred with the comments of her fellow Councilmembers and added that every member of the Council has expressed a desire for Mesa to maintain its leadership role at Williams Gateway Airport.

Councilmember Thom seconded the motion.

Mayor Hawker acknowledged Williams Gateway Airport Director Lynn Kusy, who was present in the audience.

Mayor Hawker called for the vote.

Mayor Hawker declared the motion carried unanimously by those present and Resolution No. 8710 adopted.

- *8i. Approving and authorizing the City Manager to execute a grant agreement between the City of Mesa and the Governor's Office of Highway Safety for supplemental overtime for "Sustained" DUI Task Force enforcement through December 2006 in the amount of \$40,000 – Resolution No. 8705.
- *8j. Approving and authorizing the City Manager to execute an Intergovernmental Agreement among the cities of Chandler, Glendale, Goodyear, Mesa, Peoria and Scottsdale relating to joint representation in settlement efforts relating to Central Arizona Water Conservation District v. United States of America, et al. (No. CIV 95-625-TUC-WDB) – Resolution No. 8706.

9. Take action on the following ordinance and resolution:

- 9a. Amending Title 7, Chapter 2 of the Mesa City Code by adding a new section 7-2-3 requiring developers and architects to submit electronic drawings for building projects in addition to blueprints as recommended by the Fire Committee. (Single-family residences and other related residential projects are excluded from this ordinance).

Fire Committee Recommendation: Approval. (Vote 3-0)

Mayor Hawker stated that Councilmember Rawles requested this item be removed from the consent agenda.

Councilmember Rawles, who serves as Chairman of the Finance Committee, explained that at today's Committee meeting, staff presented various fee adjustments and rate changes for

discussion and consideration. He commented that with regard to this agenda item, Section 1 (C) of the proposed ordinance would require that developers who do not submit electronic drawings be assessed a service fee of \$200 per page for staff to convert the hard-copy drawings into an electronic format. Councilmember Rawles said that he would prefer that Fire Department resources and personnel not be utilized to provide services that are available in the private sector for a comparative cost. He suggested that Section 1 (C) of the ordinance be deleted.

In response to a question from Councilmember Rawles, City Attorney Debbie Spinner clarified that because the ordinance has already been introduced, the Council could direct staff to delete Section 1 (C) and reintroduce the ordinance in two weeks or, alternatively, the Council could act on the ordinance as introduced and direct staff to bring back an amendment to the ordinance.

It was moved by Councilmember Rawles, seconded by Councilmember Thom, that the ordinance not be approved, and that staff be directed to bring back a revised ordinance that would delete Section 1 (C).

Councilmember Griswold provided a brief historical overview of this agenda item. He stated that it is appropriate for the City to require developers to submit electronic building drawings because it eliminates the need for Fire Department personnel to spend significant amounts of time measuring and hand-drawing buildings to submit to Fire Technical Services.

Vice Mayor Walters concurred with Councilmember Griswold's comments and expressed support for the motion.

Councilmember Rawles indicated that he agreed with Councilmember Griswold's comments, and reiterated that the City should not be providing electronic drawing conversion services that are available through the private sector.

Councilmember Whalen stated that if the motion were approved, he would request that staff compile a list of companies that offer the service of converting hard-copy drawings into an electronic format.

Mayor Hawker called for the vote.

Mayor Hawker declared that the motion carried unanimously by those present.

*9b. Modifying fees and charges for the Fire Department for Drawing Digitizing Fee – **Deleted.**

10. Discuss, receive public comment, and take action on the ordinances introduced at a prior Council meeting. Any citizen who wants to provide comment should submit a blue card to the Clerk before the item is voted on. If a citizen wants to comment on an item listed with an asterisk (*), a blue card must be given to the Clerk before Council votes on the consent agenda.

*10a. Amending various sections of the Mesa City Code regarding the following traffic modifications – Ordinance No. 4543:

No Parking: 10-3-24 (F 9) (10:00 p.m. to 4:00 a.m. No Parking)

On Jerome Avenue from the south leg of Vineyard to Revere (north of Baseline Road and west of Country Club Drive, Council District 3).

11. Take action on the following subdivision plats:

- *11a. "THE PALMS AT AUGUSTA RANCH" (**District 6**) – 9335 East Baseline Road (south side) located south and east of Baseline Road and Ellsworth Road. 238 R-3 PAD DMP condominium units (14.18 ac) Augusta Ranch Venture, LLC, James O'Kane, Vice President, owner.
- *11b. "LINDSAY OFFICE PARK, A CONDOMINIUM" (**District 2**) – 1900 block of South Lindsay Road (east side) located north and east of Baseline Road and Lindsay Road. 6 O-S PAD office condominium units (0.79 ac) BMS Holdings, LLC, Christian Bowers, member, owner.

12. Items from citizens present.

Jennifer Cox, 2048 E. Fountain Street, voiced a series of concerns regarding increased criminal activity in her neighborhood alley. She also spoke relative to her attempt to request the closure of the alley behind her home, which was denied by Salt River Project due to the location of its underground utility lines. Ms. Cox further requested that the residents in her neighborhood be allowed to install uniform gates in the alley that not only could be accessed by utility companies, but would also offer enhanced protection to the surrounding families.

Mayor Hawker directed staff to work with Salt River Project and Ms. Cox in an effort to resolve this matter.

13. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:52 p.m.

KENO HAWKER, MAYOR

ATTEST:

BARBARA JONES, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council Meeting of the City Council of Mesa, Arizona, held on the 1st day of May 2006. I further certify that the meeting was duly called and held and that a quorum was present.

BARBARA JONES, CITY CLERK

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